

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(i) CRM No.M-31758 of 2018 (O&M)

Sanjay Sura

...Petitioner

VERSUS

State of Haryana

...Respondent

(ii) CRM No.M-31765 of 2018 (O&M)

Sukhdev Singh @ Sukha

...Petitioner

VERSUS

State of Haryana

...Respondent

(iii) CRM No.M-33454 of 2018 (O&M)

Parveer Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

Date of Decision: September 24, 2018

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Jitender Malik, Advocate
for the petitioner (in CRM Nos.M-31758 of 2018).

Mr.H.S.Saini, Advocate
for the petitioner (in CRM No.M-31765 of 2018).

Mr.H.S.Hooda, Senior Advocate with
Mr.C.S.Singh, Advocate
for the petitioner (in CRM No.M-33454 of 2018).

Mr.B.S.Virk, DAG, Haryana
for the respondent-State.

Mr.Rajesh Duhan, Advocate
for the complainant.

INDERJIT SINGH, J.

All the above-mentioned cases are taken up together as these have arisen from same FIR.

Petitioners have filed these petitions under Section 439 Cr.P.C. for grant of regular bail in case FIR No.546 dated 26.09.2017 under Sections 218, 120-B IPC and Sections 7, 8, 9, 12, 13(1)(d) and 13(2) of Prevention of Corruption Act, registered at Police Station City, Fatehabad.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per allegations in the FIR, enquiry was conducted on the complaint made by Bhupinder Singh and three other persons regarding alleged extortion by the police officials on threat of false implications in case FIR No.420 dated 18.09.2016 under Sections 3, 4, 5, 6, 23 and 29 PNDA Act and 120-B IPC, Police Station City Tohana, District Fatehabad. A Special Enquiry Team was formed and it was found that accused were added in the disclosure statements, opening up the possibility of free-wheeling and arbitrary investigation wherein alleged accused were arrested, got discharged or otherwise let-off without any appreciation of evidence. The allegation against Sanjay Sura and Sukhdev Singh is that they have taken huge amount in the name of police officials. Allegations are also

As per learned counsel for petitioner Sukhdev Singh, Sukhdev Singh has been named on the statement of co-accused but there is no allegation that he has received any money from anybody. Parveer Kumar was the Incharge, who got discharged so many persons from the FIR etc.

Petitioner Sanjay Sura has been in custody since 04.04.2018, and petitioner Sukhdev Singh @ Sukha has been in custody since 10.05.2018 whereas petitioner Parveer Kumar has been in custody since 08.05.2018. The petitioners are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, all the petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

September 24, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No